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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

STATIONARY ENGINEERS, FIREMEN, MAINTENANCE AND BUILDING SERVICE UNION LOCAL 670, RWDSU, UFCW,	:	08-CV-1248 (ARR)(JMA)
Plaintiff,	:	<u>NOT FOR</u> <u>PRINT OR ELECTRONIC</u> <u>PUBLICATION</u>
-against-	:	
WATERWAY DEVELOPMENT, LLC,	:	<u>ORDER</u>
Defendant.	X	

ROSS, United States District Judge:

The court has received the Report and Recommendation on the instant case dated November 13, 2008 from the Honorable Joan M. Azrack, United States Magistrate Judge. No objections have been filed. Accordingly, the court has reviewed the Report and Recommendation for clear error on the face of the record. See Advisory Comm. Notes to Fed. R. Civ. P. 72(b); accord Edwards v. Town of Huntington, No. 05 Civ. 339 (NGG) (AKT), 2007 U.S. Dist. LEXIS 50074, at *6 (E.D.N.Y. July 11, 2007); McKoy v. Henderson, No. O5 Civ. 1535 (DAB), 2007 U.S. Dist. LEXIS 15673, at *1 (S.D.N.Y. March 5, 2007). Having reviewed the record, I find no clear error. I hereby adopt the Report and Recommendation, in its entirety, as the opinion of the Court pursuant to 28 U.S.C. § 636(b)(1).

Therefore, judgment is directed in favor of plaintiff and against defendant in the amount of forty-two thousand four hundred fifty three dollars and twenty cents (\$42,453.20) plus prejudgment interest at ten percent (10%) per year from February 27, 2008 until the date of

judgments plus costs, including a reasonable attorney's fee of two thousand two hundred seventy dollars (\$2,270.00).

SO ORDERED.

s/ ARR

Allyne R. Ross
United States District Judge

Dated: December 1, 2008
Brooklyn, New York

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cc: Magistrate Judge Joan M. Azrack